

REMARKS

Claims 1-13, 17 and 18-23 are pending. Claims 18-23 have been added. No new matter has been added. Applicants request reconsideration of the rejections set forth in the Office Action dated November 17, 2004 in light of the following remarks.

The present invention relates to synchronization of devices and systems. Synchronization is the act of aligning events in time. Synchronization in communication systems, such as those that distribute digital video, is used for accurate transmission and reception of communication data, precise buffer management, and distortion-free signal switching, for example. Synchronization is a central issue for many communication systems and has many variations. A global communication system often requires synchronization between geographically dispersed sites; each site (e.g., a router) often requires synchronization between individual equipment chassis within a site; each chassis often requires synchronization between individual modules (e.g., line cards and hardware components) linked to the chassis.

Rejections Under 35 U.S.C. §102

Claims 1-13 and 17 were rejected under 35 U.S.C. 102(b) as being anticipated by Noda (5,784,119). Applicants respectfully disagree.

Applicants note that the Arguments submitted in the previous Response dated January 25, 2005 have not been assuaged. Noda and Watanabe still do not teach all the elements in the independent claims.

Instead, the Advisory Action presents a new and inappropriate reason for maintaining the §102 rejection: that the "function of a SYNC stream ... is not found in the claims" (See page 2). Firstly, reciting function of every claim element is not required. A claim need only recite an element such that someone of skill in the art will understand the element. And the claims do. One of skill in the art is aware of the function of a synchronization stream. Clear communication and meaning of the SYNC stream element is triply evidenced by: a) the Examiner's ability to search based on the meaning of a SYNC stream in the first two Office Actions, b) no §112 rejection to this issue after two Office Actions (the Examiner applied other §112 rejections that did not include any previous confusion as to the meaning of a SYNC stream), and c) the Examiner's ability to find the term in an IEEE reference. Thus, the Examiner demonstrated multiple showings of understanding as to the meaning and function of this element as recited.

Secondly, reciting function of a claim element (or lack thereof as incorrectly purported) does not support or maintain a §102 rejection, particularly in an Advisory Action. In both previous Office Actions, the SYNC stream was understood as a synchronization stream. The Examiner a) understood this for both previous Office Actions, and b) read a SYNC stream as a synchronization stream in order to apply the previous rejections.

The Advisory Action also states, with some rationale that suggests oppositely, that: "the 'SYNC stream' is not recited as a synchronization stream which performs synchronization to form fixed-phase or time-alignment relationship(s) in a system". Applicant disagrees: the SYNC stream does contribute to synchronization and leads to the output of derived time events that have a time-alignment relationship; and the rationale provided by the Examiner fails to provide logical basis as to why the claim element doesn't work. And again, reciting operability of a claim element (or lack thereof as incorrectly purported) has no relevance to maintaining a §102 rejection.

Therefore, the SYNC stream as recited is a synchronization stream, is operable for its intended purpose, and Noda and Watanabe do not teach or suggest all the elements in the independent claims.

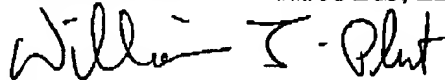
Withdrawal of the rejections under 35 U.S.C. § 102 is therefore respectfully requested.

Applicant believes that all pending claims are allowable and respectfully requests a Notice of Allowance for this application from the Examiner. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Applicant hereby petitions for an extension of time which may be required to maintain the pendency of this case, and any required fee for such extension or any further fee required in connection with the filing of this Response is to be charged to Deposit Account No. 50-0388 (Order No. CISC211).

Respectfully submitted,

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Limited Recognition under 37 C.F.R. §10.9(b)

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Expires: April 21, 2005



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